

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL ACTION NO. 5:20-CV-00166-GCM-DCK**

**KATHY TALLENT MINNICK,**

**Plaintiff,**

**v.**

**KILOLO KIJAKAZI,**

**Defendant.**

**ORDER**

**THIS MATTER** comes before the Court on Plaintiff's Consent Motion for Attorney Fees (ECF No. 20). Noting that Defendant consents to the fees proposed by Plaintiff, and being satisfied that the award of fees complies with 28 U.S.C. § 2412, the Court orders:

1. That the Social Security Administration shall pay \$6,098.48 to the plaintiff in full settlement and satisfaction of any and all claims for attorney fees for legal services rendered under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d).
2. That the Commissioner shall determine whether Plaintiff owes a debt to the United States with respect to Plaintiff's signed assignment of EAJA fees to her attorney, in accordance with *Astrue v. Ratliff*, 560 U.S. 586 (2010). If so, the debt will be satisfied first. If any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the Department of the Treasury reports to the Commissioner that the Plaintiff does not owe a federal debt, the government will exercise its discretion and honor the assignment of EAJA fees, paying the awarded fees directly to Plaintiff's counsel.

**SO ORDERED.**

Signed: September 7, 2021

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

